REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	22 May 2001
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Pirate 65
Other Known Titles:	Pirate #65
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Milcap Publishing Group AB
Author:	Not Applicable
Format:	Magazine
Country of Origin:	Spain
Languages:	English, German, French, Swedish, Italian, Spanish

Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

Either

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept
and
That the publication must be publicly displayed only in a sealed package
And
That where the publication is publicly displayed in a package, the package must be made of opaque material.

Or

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept
and
That the publication must be publicly displayed only in a sealed package
and
That the publication must be displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises).

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The magazine entitled *Pirate 65* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The classification is due to the magazine's treatment of matters of sex. The full colour pictorial magazine of 124 pages (including the covers) explicitly depicts adult male and female sexual activity. The magazine mainly consists of photographs in five pictorial items with one or two women as the main subjects. Two items have a single paragraph, in six European languages including English, which provide limited contexts for the activities. "Fetish" themes run throughout the magazine. Fetishised clothing, roles and/or settings feature in each pictorial. Participants all present as adults and their activities as consensual. Other content includes a three page foldout depicting posed women, advertisements for telephone sex lines, sexual merchandise, and explicit sex magazines, videos and DVDs.

The magazine presents females in particular in a moderately degrading manner, and includes depictions of moderately degrading and dehumanising sexual conduct. Degrading and dehumanising close-ups intensify the degree to which conduct presents as degrading and dehumanising, however close-ups are a minor proportion of the magazine and are mitigated by the predominance of full-scene and full-body images.

Consideration has been given to the relevant provisions of the New Zealand Bill of Rights Act 1990 as they relate to this publication. Given the sustained, explicit sexual content and the purpose for which it is intended to be used, the restriction on the availability of the publication is considered to be reasonable and demonstrably justifiable.

OFLC Ref: 100236